

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

SOFTWARE RESTORE SOLUTIONS, LLC, an	)	Civil Action No. 1:11-cv-5625
Illinois limited liability company,	)	
	)	The Honorable Sharon J. Coleman
Plaintiff,	)	
	)	Magistrate Judge Morton Denlow
v.	)	
	)	<b>AGREED MOTION TO DISMISS</b>
APPLE INC., a California corporation,	)	
	)	
Defendant.	)	

Plaintiff, Software Restore Solutions, LLC (“SRS”), and Defendant, Apple, Inc. (“Apple”), jointly request that this Court dismiss all claims by SRS against Apple with prejudice and all counterclaims by Apple against SRS in this action without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2), with each of the parties to bear its own costs.

Dated: January 5, 2012

Dated: January 5, 2012

SOFTWARE RESTORE SOLUTIONS, LLC

APPLE, INC.

/s/Timothy P. Maloney  
Timothy Maloney (IL 6216483)  
Alison Aubry Richards  
Nicole L. Little  
David A. Gosse  
FITCH EVEN TABIN & FLANNERY  
120 South LaSalle Street, Suite 1600  
Chicago, Illinois 60603  
Telephone: 312.577.7000  
Facsimile: 312.577.7007  
Email: tpmalo@fitcheven.com

/s/Douglas E. Lumish (with consent)  
Douglas E. Lumish  
Joseph H. Lee  
Kasowitz, Benson, Torres & Friedman LLP  
333 Twin Dolphin Drive, Suite 200  
Redwood Shores, California 94065  
Telephone: 650.453.5170  
Facsimile: 650.453.5171  
Email: dlumish@kasowitz.com  
Email: jlee@kasowitz.com

Steven C. Schroer  
FITCH EVEN TABIN & FLANNERY  
1942 Broadway, Suite 213  
Boulder, Colorado 80302  
Telephone 303.402.6966  
Facsimile 303.402.6970

Stacie R. Hartman (IL No. 6237265)  
SCHIFF HARDIN LLP  
233 South Wacker Drive, Suite 6600  
Chicago, Illinois 60606  
Telephone 312.258.5607  
Facsimile 312.258.5600  
Email: shartman@schiffhardin.com

**CERTIFICATE OF SERVICE**

The undersigned certifies that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule 5.5(a)(3) on January 5, 2012.

/s/ Timothy P. Maloney  
*Attorney for Plaintiff, Software Restore  
Solutions, LLC*